



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
FREEDOM OF INFORMATION ACT BRANCH
Washington, D.C. 20570

Via email

June 7, 2022

Re: FOIA Case No: NLRB-2023-001448

Dear Mr. Luis J. Soto (APWU):

This is in response to your request, under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, received in this Office on May 18, 2023, in which you seek all records in *APWU 1070 (United States Postal Service)*, Case No. 12-CB-306512. You did not assume financial responsibility for processing your request and requested a fee waiver. You also requested expedited processing.

We acknowledged your request on May 18, 2023. Your request for a fee waiver and expedited processing were denied on May 19, 2023 as they did not satisfy the criteria for the grant of a fee waiver or expedited processing. See, NLRB Rules and Regulations, Sections 102.117(d)(2)(iv) and (c)(2)(ii).

The FOIA, 5 U.S.C. § 552(a)(4)(A)(i), provides that each agency shall promulgate regulations specifying the schedule of fees applicable to the processing of FOIA requests. Under NLRB FOIA regulations, each request for records shall contain a specific statement assuming financial responsibility in full or to a specified maximum amount, for time which may be incurred in responding to the request. Further, a request for records will not be deemed received until a written assumption of fees is received. NLRB Rules and Regulations, Section 102.117(d)(2)(vi).

As you were advised by a member of my staff on May 19, 2023, your request did not include an assumption of fees. It was explained to you that for us to process your request, you needed to confirm in writing that you were willing to assume financial responsibility, and you were given a fee estimate of \$74.00. You were further advised that if you did not contact the FOIA Branch by June 5, 2023 to assume financial responsibility for fees associated with your request, your request would be administratively closed. To date, the FOIA Branch has not received any response from you. Therefore, your request has been closed.

This administrative closure is not an adverse determination. If in the future you wish to obtain these or any other NLRB records, you must submit a new FOIA

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request that reasonably describes the records sought and includes an assumption of financial responsibility.

You may contact Teresita Sanabria, the FOIA Specialist who processed your request, at (202) 273-4000 or by email at teresita.sanabria@nrlb.gov, as well as the Agency's FOIA Public Liaison, Kristine M. Minami, for any further assistance and/or to discuss any aspect of your request. The FOIA Public Liaison, in addition to the FOIA Specialist, can further explain responsive and releasable agency records, suggest agency offices that may have responsive records, and/or discuss how to narrow the scope of a request in order to minimize fees and processing times. The contact information for the Agency's FOIA Public Liaison is:

Kristine M. Minami
FOIA Public Liaison
National Labor Relations Board
1015 Half Street, S.E., 4th Floor
Washington, D.C. 20570
Email: FOIAPublicLiaison@nrlb.gov
Telephone: (202) 273-0902
Fax: (202) 273-FOIA (3642)

After first contacting the Agency, you may additionally contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
Email: ogis@nara.gov
Telephone: (202) 741-5770
Toll free: (877) 684-6448
Fax: (202) 741-5769

Sincerely,

/s/ Synta E. Keeling

Synta E. Keeling
FOIA Officer